

**THE WOODLANDS TOWNSHIP
BOARD OF DIRECTORS
REGULAR BOARD MEETING**

MAY 25, 2011

MINUTES

THE STATE OF TEXAS §

COUNTIES OF HARRIS & MONTGOMERY §

The Board of Directors of The Woodlands Township met in regular session, open to the public, on May 25, 2011, posted to begin at 6:00 p.m. The meeting was held in a meeting room at the office of The Woodlands Township, Service Center, 2201 Lake Woodlands Drive, The Woodlands, Texas, within the boundaries of The Woodlands Township.

DIRECTORS PRESENT: Chairman Bruce Tough, Vice Chairman Lloyd Matthews, Secretary Claude Hunter, Treasurer Ed Robb**, Director Nelda Blair, Director Tom Campbell, and Director Peggy Hausman

DIRECTORS ABSENT: None

STAFF/ADVISORS: Don Norrell, President/General Manager, John Powers, Assistant General Manager Community Services, Monique Sharp, Assistant General Manager of Finance & Administration, Fire Chief Alan Benson, Susan Welbes, Director of Human Resources, Nick Wolda, Director of Community Relations/CVB President, Miles McKinney, Legislative Affairs & Transportation Manager, Karen Dempsey, Management Analyst, Mary Connell, Community Relations Manager, and Bret Strong, Legal Counsel

CALL TO ORDER:

Chairman Tough called the meeting to order at 6:00 p.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouses of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 2201 Lake Woodlands Drive, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

**Indicates arrived late

Board of Directors
Regular Board Meeting
May 25, 2011

CONSIDER AND ACT UPON ADOPTION OF MEETING AGENDA(S);

Chairman Tough called for a motion and second to adopt the regular and supplemental agendas.

MOTION: Motion as stated by Secretary Hunter; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: Treasurer Robb**

ACTION: Motion passed unanimously (6-0).

RECOGNIZE PUBLIC OFFICIALS;

Chairman Tough recognized the following individuals:

- George Van Horn-Grogan's Mill Village Association Vice-President of Government Relations
- John Hennigan-Montgomery County Hospital District Board Member
- Lt. Dan Norris-Candidate for Pct. 3, Constable
- William Sharp-former Dean of Students, University of Houston
- Former Board Members-WCA, TWA, WCOA

The Public Official's Sign-In Sheet is attached hereto as Exhibit "A".

PUBLIC COMMENT;

The following members of the public addressed the Board:

- Tracy Morris-expressed concerns regarding a columbarium approved to be built near Capstone Subdivision
- T.J. Fry-comments about Ironman Texas event
- Jim Harrington-comments about Ironman Texas event
- C.W. Wallace-comments about trash can options
- Margaret Sharp-wanted to know what committees Peggy Hausman serves on currently
- John Risher-comments about the Directors' election
- Carol Risher-comments about the Waste Management contract and Grogan's Mill Bridge
- Dan Quinn-introduced his business, Kona Ice
- John Laskowski-comments about Ironman Texas event
- Stephen Clouthier-comments about Ironman Texas event
- June Deppy-comments about Ironman Texas event
- Deborah Sargeant-Grogan's Mill Pedestrian Bridge
- Brenda Trifon-spoke about community pride

MOTION: Director Campbell moved to allow public comment to continue past the 30 minute time limit; second by Director Hausman

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter

Board of Directors
Regular Board Meeting
May 25, 2011

Director Blair
Director Campbell
Director Hausman

Nays: None

Abstentions: None

Absent: Treasurer Robb**

ACTION: Motion passed unanimously (6-0).

The Public Comment Roster and resident comments regarding the Ironman Texas event are attached hereto collectively as Exhibit "B".

RECEIVE AND CONSIDER THE LAW ENFORCEMENT REPORT FROM DIRECTOR OF LAW ENFORCEMENT, MARIAN LECK:

Marian Leck presented the following law enforcement report:

- **Recognition:**
Ms. Leck thanked Sgt. Jason Moore for his work in hiring 230+ officers to provide public safety during the Ironman Texas event
- **Montgomery County Sheriff's Office Staffing (MCSO):**
All positions have been filled
- **Harris County Constable's Office-Precinct 4:**
COP-LINE-service provided to Harris County citizens that allows them to file police reports for minor incidents where immediate follow up investigation is not necessary; increases the efficiency of patrol operations allowing street deputies additional time to focus on proactive patrol and response to more serious incidents
- **Crime Status and Trends:**
Deputy Uber and K9 Bowie had 5 narcotics deployments; all resulted in arrests
- **Police-Community Partnership:**
Thank you to community for participating in Drug Enforcement Agency (DEA) event-drug take back program was very successful
Click It or Ticket program currently in effect
- **Overtime Programs:**
Graduation ceremonies at the Cynthia Woods Mitchell Pavilion
- **Other:**
National Police Week was observed May 15-21, 2011

RECEIVE AND CONSIDER REPORTS FROM VILLAGE ASSOCIATION (VA) REPRESENTATIVES:

Reports were provided by the following Village Association (VA) representatives:

Alden Bridge VA-Steve Leakey reported that the VA received annual funding from the Township; Mike Cannetti serving as Vice President and Matt Bartholomew serving as Treasurer

Cochran's Crossing VA-Brian Duelm reported that an Ice Cream Social will be held on Sunday, June 5 at the Bear Branch Pool; B.B. Smith resigned from the Board; Jerry Orebaugh nominated and added to the Board

College Park VA-Ted Stanley thanked the Board for bringing the Ironman Texas event to The Woodlands; *Spring Fling* will be held Saturday, May 28 at Harper's Landing Park; new website is up and running

Board of Directors
Regular Board Meeting
May 25, 2011

Grogan's Mill VA-George Van Horn invited all in attendance to the Farmer's Market held every Saturday until the end of June in the Grogan's Mill Shopping Center; Farmer's Market in the fall will start up in October

Indian Springs VA-Amy Lecocq reported that work is underway for the 4th of July Parade and float entry; revising website policy; residents request continued enhancement of neighborhood entry signs

Panther Creek VA-Everett Ison reported that the Ironman Texas event was successful, but suggested there be more port-a-potties and improvements made to traffic control in the future; June 11 Picnic at Ridgewood Park; August 20 baseball outing; selling granite tiles for the Veterans Memorial at Town Green Park

Creekside Park VA-No report

Sterling Ridge VA-No report

The Village Association Representatives' Sign-In Sheet is attached hereto as Exhibit "C".

CONSENT AGENDA:

(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)

CONSIDER AND ACT UPON THE CONSENT AGENDA:

- (a) Approve minutes of the April 21, 2011 Board Workshop and April 27, 2011 regular meeting of the Board of Directors of The Woodlands Township;
- (b) Authorize the destruction of records documented on the Records Disposition List dated May 25, 2011 pursuant to the Township's records retention schedule;
- (c) Authorize the President/General Manager to execute the Sponsorship Agreement between Nike USA, Inc., The Woodlands High School Boys Cross Country Booster Club and The Woodlands Township;
- (d) Authorize the President/General Manager to utilize an independent contractor for park and pathway maintenance contract quality inspections for up to one year for an amount not to exceed \$70,000;
- (e) Accept the bid from Koldo Gourmet in the amount of \$11,000 per year to provide concession services at Bear Branch Sportsfields and authorize the President/General Manager to execute a Concession

As there was no further Board discussion, Chairman Tough called for a motion and second to approve the Consent Agenda as presented.

MOTION: Motion as stated by Secretary Hunter; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Board of Directors
Regular Board Meeting
May 25, 2011

Absent: Treasurer Robb**

ACTION: Motion passed unanimously (6-0).

Minutes and Executive Summaries for Consent Agenda items are attached hereto collectively as Exhibit "D".

BRIEFINGS:

There were no briefing items.

REGULAR AGENDA:

RECEIVE, CONSIDER AND ACT UPON REVISIONS TO THE PARKS AND RECREATION 2011 CAPITAL PROJECTS SCHEDULE:

Chairman Tough called on John Powers to present this item as outlined in an Executive Summary. Mr. Powers informed the Board that per their instruction to obtain additional information regarding the road re-alignment between Market Street and Cynthia Woods Mitchell Pavilion that there was no information available at this time. Mr. Powers recommended that this item be tabled until the June 16, 2011 Board Workshop. Board discussion followed.

The Executive Summary for the above item is attached hereto as Exhibit "E".

RECEIVE, CONSIDER AND ACT UPON CHANGES TO THE TROLLEY ROUTE IN THE WOODLANDS TOWN CENTER:

Chairman Tough called on Miles McKinney to present this item. Mr. McKinney provided background information on this item as outlined in an Executive Summary. Following Mr. McKinney's comments, Bryan Brown, with The Goodman Corporation, was called on to provide additional clarification. Mr. Brown gave a PowerPoint presentation on the extension opportunities for the trolleys, including costs. Board discussion followed. The following motion was then offered:

MOTION: Director Blair moved to approve The Goodman Corporation's proposal for added trolley service to incorporate an area immediately west of Grogan's Mill Road on Lake Robbins Drive, ending at the Waterway, to the current Trolley Town Center circulator route, and authorize the President/General Manager to execute an agreement, on behalf of The Woodlands Township, with The Brazos Transit District to implement the expanded trolley service; second by Vice Chairman Matthews

Board discussion continued. Secretary Hunter offered an amendment to the motion to table the item until the turn around on the Waterway is built. Director Blair did not accept the amendment to the motion. There was no second to Secretary Hunter's motion. The amendment to the original motion died due to lack of a second.

Note: Treasurer Robb arrived prior to the vote on the above item.

The Chair then called for a vote on the original motion by Director Blair:

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Treasurer Robb
 Director Blair

Board of Directors
Regular Board Meeting
May 25, 2011

Nays: Secretary Hunter
Director Campbell
Director Hausman

Abstentions: None

Absent: None

ACTION: Motion passed (4-3).

The Executive Summary and resident comments regarding the above item are attached hereto collectively as item "F".

Note: Chairman Tough referred the Board back to item #8 regarding revisions to the parks and recreation capital projects schedule. As there was no motion made at the time of presentation, the Chair called for a motion and second to table item #8, as recommended by staff, until the June 16, 2011 Board Workshop.

MOTION: Motion as stated by Secretary Hunter; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
Vice Chairman Matthews
Secretary Hunter
Treasurer Robb
Director Blair
Director Campbell
Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

RECEIVE, CONSIDER AND ACT UPON AN UPDATE REGARDING THE GROGAN'S MILL PEDESTRIAN BRIDGE:

Chairman Tough called on John Powers to present this item and then referred the Board to an Executive Summary in their meeting book. Mr. Powers began his presentation by referring the Board to a memo from Don Norrell that explained the recommended Board action previously discussed at the Board Workshop. Handout material, consisting of Woodlands Community Association meeting minutes, was also provided to the Board. Mr. Powers noted that the February 20, 1974 Woodlands Community Association (WCA) minutes indicated acceptance by the WCA of the Grogan's Mill overpass bridge. By way of assignment, this information shows that The Woodlands Township owns the Grogan's Mill overpass bridge. However, there are no legal documents placing the bridge in the Township's hands. Board discussion followed and then the following motion was offered:

MOTION: Director Blair moved that The Woodlands Township proceed with documenting ownership of the Grogan's Mill Bridge and return to the Board for final consideration; second by Treasurer Robb. Secretary Hunter requested that documentation of the aerial easements also be included in the motion. Director Blair and Treasurer Robb accepted the amendment.

VOTE: **Ayes:** Chairman Tough
Vice Chairman Matthews
Secretary Hunter
Treasurer Robb
Director Blair
Director Campbell

Board of Directors
Regular Board Meeting
May 25, 2011

Director Hausman
Nays: None
Abstentions: None
Absent: None

ACTION: Motion passed unanimously (7-0).

Secretary Hunter then moved that only routine maintenance be performed on the Grogan's Mill Bridge in 2012; second by Director Campbell. Board discussion followed.

MOTION: Motion by Secretary Hunter as stated above; second by Director Campbell

VOTE: **Ayes:** Secretary Hunter
 Director Campbell
 Nays: Chairman Tough
 Vice Chairman Matthews
 Treasurer Robb
 Director Blair
 Director Hausman
 Abstentions: None
 Absent: None

ACTION: Motion failed (2-5).

The Executive Summary, handout material and resident comments on this item are attached hereto collectively as Exhibit "G".

RECEIVE, CONSIDER AND ACT UPON RECOMMENDATIONS FROM THE SOLID WASTE CONSULTANT AND STAFF REGARDING SOLID WASTE BIDS;

Chairman Tough called on John Powers to present this item. Mr. Powers provided a summary of the item as outlined in an Executive Summary. In addition, Mr. Powers referred the Board to a supplemental memo from Don Norrell that addressed a phased in approach to changing from a 95-gallon to 60-gallon container by February 1, 2014. An education component that would help residents with the transition process was also discussed. Recycling containers would increase from 18-gallons to 95-gallons. Lynne Aldrich, Environmental Services Manager for The Woodlands Township, was available to answer questions from the Board. Board discussion followed.

Chairman Tough then called for a motion and second to authorize the President/General Manager to develop a Solid Waste Collection, Disposal and Recycling Services contract with Waste Management of Texas, Inc. based on an initial service combination of Option A (95-gallon waste container; 95-gallon recycling container) for two years, changing to Option B (60-gallon waste container; 95-gallon recycling container) with a mandated date of February 1, 2014, and return to the Board for final approval at the June 2011 regular Board with a cost determination; and authorize up to 2% of the contract amount each year for the next 36 months to fund consumer education and education in schools to assist with the transition of carts and bins.

MOTION: Motion as stated by Secretary Hunter; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell

Board of Directors
Regular Board Meeting
May 25, 2011

Director Hausman
Nays: None
Abstentions: None
Absent: None

ACTION: Motion passed unanimously (7-0).

The Executive Summary, handout material and resident comments on the above item are attached hereto collectively as Exhibit "H".

RECESS THE REGULAR MEETING OF THE BOARD OF DIRECTORS:

The regular meeting of the Board of Directors was recessed at 8:30 a.m.

CONVENE AND CONDUCT A PUBLIC HEARING REGARDING THE AMENDMENT OF ORDER NO. 020-09 REGARDING SWIMMING POOL FEES:

At 8:30 a.m., a public hearing was conducted in order to receive public comment regarding an amendment to Order No. 020-09 dealing with swimming pool fees. Chairman Tough called on John Powers to present this item. Mr. Powers provided a summary of the item as outlined in an Executive Summary. Following Mr. Powers' presentation, the Chair asked if there was any public comment regarding the amendment to Order No. 020-09. No comments were received.

RECONVENE THE REGULAR MEETING OF THE BOARD OF DIRECTORS:

At 8:31 a.m., the regular meeting of the Board of Directors reconvened.

RECEIVE, CONSIDER AND ACT UPON AMENDING ORDER NO. 020-09 REGARDING SWIMMING POOL FEES:

As there was no Board discussion, Chairman Tough then called for a motion and second to authorize the amendment of Order No. 020-09 regarding swimming pool fees.

MOTION: Motion as stated by Director Campbell; second by Secretary Hunter

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Director Campbell
 Director Hausman

Nays: None
 Abstentions: None
 Absent: Treasurer Robb
 Director Blair

ACTION: Motion passed unanimously (5-0).

The Executive Summary and Order No. 011-11 Amending Order No. 020-09 regarding swimming pool fees are attached hereto collectively as Exhibit "I".

RECEIVE, CONSIDER AND ACT UPON AWARD OF BIDS FOR 9012 NEW TRAILS:

Chairman Tough informed the Board that no action would be taken on this item. However, Damon Palermo, Project Manager, was called on to make a brief presentation. Mr. Palermo noted that seven

Board of Directors
Regular Board Meeting
May 25, 2011

bids were received on the new office building located at 2801 Technology Forest Boulevard. The bids were currently in the review process; therefore, no recommendation was available at the present time. Mr. Norrell recommended that this item be brought back for Board consideration and action at a special meeting of the Board to be held June 1, 2011. Board discussion followed. Secretary Hunter requested that all future reference to the address of The Woodlands Township's new office facility be stated as 2801 Technology Forest Boulevard in order to familiarize the public with the new address.

RECEIVE, CONSIDER AND ACT UPON AUTHORIZING THE PRESIDENT/GENERAL MANAGER TO MODIFY NOTICE OF TERMINATION OF THE SERVICE AGREEMENT WITH LAKE WOODLANDS PROPERTY OWNERS ASSOCIATION;

As there was no further discussion needed on this item, Chairman Tough called for a motion and second to authorize the President/General Manager to modify notice of termination of the service agreement with Lake Woodlands Property Owners Association to extend service through August 31, 2011.

MOTION: Motion as stated by Director Blair; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

The Executive Summary for the above item is attached hereto as Exhibit "J".

REVIEW OF BOARD OFFICER ELECTION PROCESS:

Chairman Tough called on Karen Dempsey to present this item. Ms. Dempsey reminded everyone that the Board officer elections and seating of the newly elected Directors will take place at 9:00 a.m. on Wednesday, June 1, 2011 at the Board Chambers office building located at 10001 Woodloch Forest Drive. An overview of the officer election process was then presented by Ms. Dempsey as outlined in an Executive Summary. Board discussion followed. No action was needed on this item.

The Executive Summary for the above item is attached hereto as Exhibit "K".

CLOSED MEETING (IF APPLICABLE):

RECESS TO EXECUTIVE SESSION TO DISCUSS MATTERS RELATING TO REAL PROPERTY PURSUANT TO §551.072, TEXAS GOVERNMENT CODE; DELIBERATION OF ECONOMIC DEVELOPMENT NEGOTIATIONS PURSUANT TO §551.087, DISCUSS PERSONNEL MATTERS PURSUANT TO §551.074, TEXAS GOVERNMENT CODE; AND TO CONSULT WITH THE WOODLANDS TOWNSHIP'S ATTORNEY CONCERNING PENDING LITIGATION PURSUANT TO §551.071, TEXAS GOVERNMENT CODE;

Chairman Tough announced that there was no need for Executive Session.

MOVE TO SUPPLEMENTAL AGENDA:

Board of Directors
Regular Board Meeting
May 25, 2011

MOVE TO SUPPLEMENTAL AGENDA:

CONSIDER AND ACT UPON CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE DIRECTORS ELECTION HELD WITHIN THE TOWNSHIP ON MAY 14, 2011, AND THE ADOPTION OF AN ORDER IN CONNECTION THEREWITH:

Karen Dempsey was called on to present this item. Ms. Dempsey referred the Board to a Supplemental Notice of Public Meeting and Order No. 012-11 Canvassing Returns and Declaring Results of Directors Election. By way of the order, it was found and declared that:

Nelda Luce Blair - Position 5
Peggy S. Hausman – Position 6
Bruce Tough – Position 7

were elected Directors of The Woodlands Township and will serve until the election for Directors to be held in May 2013, or until their successors have been duly elected or appointed and have qualified.

Following Ms. Dempsey's presentation, the Chair called for a motion and second to canvass the returns and declare the results of the Directors Election held within the Township on May 14, 2011, and adopt an Order in connection therewith. Board discussion followed.

MOTION: Motion as stated by Treasurer Robb; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

Order No. 012-11 Canvassing Returns and Declaring Results of Directors Election is attached hereto as Exhibit "L".

RETURN TO REGULAR MEETING AGENDA:

CONSIDERATION OF ITEMS TO BE PLACED ON THE AGENDA FOR NEXT MONTH'S MEETING:

- Secretary Hunter asked if staff could develop information on ways that the Township can improve traffic re-routing for future events
- Director Hausman received requests from residents to have the Board include the Pledge of Allegiance prior to the start of meetings

BOARD ANNOUNCEMENTS:

- Treasurer Robb apologized for arriving late to the meeting as a result of a flight delay

PUBLIC COMMENT; AND

Board of Directors
Regular Board Meeting
May 25, 2011

The following members of the public addressed the Board:

- **John Nanninga**-comments regarding allowing residents to have a choice on what size trash container(s) they prefer
- **Everett Ison**-comments regarding fire safety/fireworks
- **Walter Boyd**-campaign remarks

ADJOURNMENT:

As there was no further business to discuss, Chairman Tough called for a motion and second to adjourn the meeting at 8:50 p.m.

MOTION: Motion by Treasurer Robb; second by Secretary Hunter

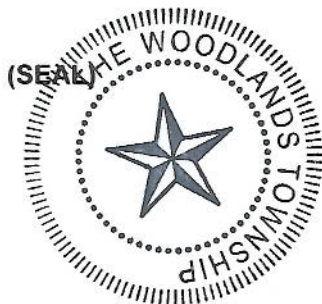
VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman


Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).




Claude Hunter
Secretary, Board of Directors

Board of Directors
Regular Board Meeting
May 25, 2011

EXHIBIT OMISSIONS*

EXHIBIT "A"	EXHIBIT "G"
EXHIBIT "B"	EXHIBIT "H"
EXHIBIT "C"	EXHIBIT "I"
EXHIBIT "D"	EXHIBIT "J"
EXHIBIT "E"	EXHIBIT "K"
EXHIBIT "F"	EXHIBIT "L"

***To view Exhibits, please contact the Records Management Analyst at 281-210-3800.**